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09/973,560	10/09/2001	Mark A. Johnson	RD-28,600	7497
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John S. Beulick		EXAMINER		
Armstrong Teasdale LLP Suite 2600 One Metropolitan Sq. St. Louis, MO 63102			HOBDEN, PAMELA R	
			ART UNIT	PAPER NUMBER
St. Louis, MO	03102		2882	
			DATE MAILED: 09/24/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Sample   Parmele R. Hobden   Parmele R. H			Application No.	Applicant(s)			
## Pamela R. Hobden   2882    - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of inner party has available under the provisions of 37 CFR 1.158(a). In or evert, however, many a reply to timely filled   - If No period for reply is specified above, the macroman shallourly period will apply and will appres SIX (0) MONTH for from the mailing date of this communication of thing (36) again, were a flimely filled   - If No period for reply is specified above, the macroman shallourly period will apply and will apply and will apply a will be considered timely.  - If No period for reply is apecified above, the macroman shallourly period will apply and will appres SIX (0) MONTH for from the mailing date of this communication, were 3 flimely filled, many reduce any submited planed form adjustment. See 37 CFR 1.704(b).  **Status**  1)	<b>,</b>	•					
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## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - Claims1-12, drawn to a medical suite/system, classified in class 600, subclass 300.
  - II. Claims 13-18, drawn to an x-ray system with sound control, classified in class 378, subclass 115.
- 2. The inventions are distinct, each from the other because of the following reasons: Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because a medical suite incorporating an imaging system could include a sonogram device. The subcombination has separate utility such as a CT system.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pamela R. Hobden whose telephone number is (703)-306-5435. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703)-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-308-7382 for regular communications and (703)-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-0956.

prh

September 19, 2002

Pamela R. Hobden